

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 20, 2000

DIVISION TWO

B128503 People (Not for Publication)
v.
Nestor Padilla

The finding that appellant's 1959 conviction for assault is a qualifying prior felony conviction (strike) under the three strikes law (Pen. Code, §§ 667, subds. (b)-(i), 1170.12) is reversed, and the matter is remanded for resentencing in accordance with the views expressed herein. In all other respects, the judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

B129532 People (Not for Publication)
v.
Tyrone Darnell Martin

The judgment appealed from is affirmed.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

DIVISION THREE

B132993 People
v.
Jeffrey Lynn Hansen

Filed order denying petition for rehearing.

DIVISION FOUR

[illegible]

The sentence is reversed with respect to the staying of the one-year prior prison term enhancement, and the matter is remanded with directions to the trial court to either impose that term or to strike it and set forth its reasoning therefor on the record pursuant to section 1385. In all other respects, the judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B138484 People (Not for Publication)
v.
Thigpen

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B136566 People (Not for Publication)
v.
Castle

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B140515 Terrie D. (Not for Publication)
v.
Superior Court, Los Angeles County

The petition for extraordinary writ is denied.

Grignon, J.

We concur: Turner, P.J.
 Godoy Perez, J.

B129973 People (Not for Publication)
v.
Sorrentino

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B132078 Cleophus Kidd et al. (Not for Publication)
v.
Bankers Trust Company

The judgment is affirmed. Respondent is awarded its costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION FIVE (Continued)

B136753 Lance Charles et al. (Not for Publication)
 v.
 East Coast Foods

The judgment is reversed. Defendants are to pay plaintiffs' costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

B136695 People (Not for Publication)
 v.
 Martinez

The sentence is vacated and the case is remanded for resentencing consistent with the views expressed in this opinion.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B132720 People (Not for Publication)
 v.
 Myland

The judgment (order of commitment) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SIX (Continued)

B129641 People (Not for Publication)
v.
Cornelius

The judgment is modified to award appellant 47 days of presentence conduct credits under section 2933.1. The superior court is directed to amend the abstract of judgment accordingly and forward a copy to the Department of Corrections. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SEVEN

B134038 Los Angeles County Metropolitan Transportation Authority
v.
Superior Court, Los Angeles County
(Parsons-Dillingham Metro Rail Construction, r.p.i.)

Filed order denying petition for rehearing.

B136911 People
v.
Andy L.

Filed order denying petition for rehearing.

B125182 Berman
v.
Health Net & Health Net System, International

Filed order denying petition for rehearing.

DIVISION SEVEN (Continued)

B135137 Nemirofsky

v.

Regents of the University of California

Filed order denying petition for rehearing.